

MINUTES
REGULAR MEETING OF THE CITY COUNCIL
CITY OF MEMPHIS

December 16, 2014

3:30 P.M. SCHEDULED SESSION

3:31 P.M. MEETING COMMENCED

ROLL CALL: William Boyd, Joe Brown, Harold Collins, Kemp Conrad, Shea Flinn, Edmund Ford, Jr., Janis Fullilove, Wanda Halbert, Lee Harris, Reid Hedgepeth, Myron Lowery, Bill Morrison and Chairman Jim Strickland.

**THE MEETING WAS CALLED TO ORDER
BY SERGEANT-AT-ARMS**

INVOCATION

The meeting was opened with prayer by Dr. Stacy Spencer from New Direction Christian Church. Councilwoman Halbert presented Dr. Spencer with a certificate naming him Chaplain of the day.

These minutes record the agenda items and the action taken by the Council on such items. The full text of the original of the ordinances, resolutions and supporting documents, including an audio recording of Council's deliberations are filed and maintained in the office of Council Records/Records Management, Room 2B-08. The original ordinances and/or resolutions adopted by the Council shall control in the event of any conflict between the description in these minutes and the original documents, ordinances and/or resolutions.

MINUTES

Approval of the Minutes of the regular meeting of December 2, 2014 with the following motion:

MOTION: Conrad – Pull Item #49 from the minutes

Chairman Strickland asked if there was any opposition to pulling Item #49 from the Minutes. There was no opposition.

MAIN MOTION: Ford

SECOND: Morrison

AYES: Boyd, Brown, Collins, Conrad, Ford, Halbert, Harris, Hedgepeth, Lowery, Morrison and Chairman Strickland

NAYS: Fullilove
Flinn did not cast a vote

APPROVED, as amended

Councilman Conrad requested same night minutes for the item below. Chairman Strickland asked if there was any objection to having same night minutes. There was no objection.

MOTION: Conrad – Approve substitute resolution regarding Item #49 that was pulled from the minutes of December 2, 2014

SECOND: Morrison

AYES: Boyd, Brown, Collins, Conrad, Flinn, Ford, Fullilove, Halbert, Harris, Hedgepeth, Lowery, Morrison and Chairman Strickland

APPROVED, set up as Special Item #1

42. **RESOLUTION APPROVING A STREET/ALLEY CLOSURE LOCATED ON COUGHLIN DRIVE BETWEEN BROOKS ROAD AND STONEBROOK AVENUE, CONTAINING 2.058 ACRES IN THE EMPLOYMENT (EMP) DISTRICT.** (Held from 4/15; 5/20; 10/7; 10/21; 11/18)

Case No. SAC 13-605
Companion Case No. SD 13-701

Held until January 20, 2015

43. **RESOLUTION APPROVING A STREET DEDICATION LOCATED ON SANDBROOK AND STONEBROOK AVENUES, CONTAINING 0.146 ACRE IN THE EMPLOYMENT (EMP) DISTRICT.** (Held from 4/15; 5/20; 10/7; 10/21; 11/18)

Case No. SD 13-701
Companion Case No. SAC 13-605

Held until January 20, 2015

1. **RESOLUTION CONGRATULATING THE WHITEHAVEN RAIDERS FOOTBALL TEAMS ON THEIR OUTSTANDING SEASON AND DESIGNATION AS THE SHELBY YOUTH SPORTS 2014 SUPER BOWL CHAMPIONS.**

MOTION: Collins

SECOND: Morrison

APPROVED, by unanimous voice vote

2. **RESOLUTION CONGRATULATING RAINEY FISHER ON HER SELECTION FOR THE NATIONAL ACADEMY OF FUTURE PHYSICIANS AND MEDICAL SCIENTIST AWARD OF EXCELLENCE.**

MOTION: Collins

SECOND: Halbert

APPROVED, by unanimous voice vote

31. **ORDINANCE TO REQUIRE APPROVAL FOR MLG&W CONTRACTS WITH OTHER MUNICIPALITIES, PARTICULARLY CONTRACTS INVOLVING COLLECTION OF VARIOUS MUNICIPAL CHARGES, UP FOR T H I R D AND F I N A L READING.**
(Held from 12/2) Ordinance No. 5574

Held until January 6, 2015

3. **RESOLUTION APPROVING AN HONORARY STREET NAME CHANGE FOR EVANGELIST GEORGIA A. KING.**

MOTION: Harris

SECOND: Fullilove

APPROVED, by unanimous voice vote

4. **RESOLUTION COMMENDING JIM DUNCAN FOR HIS OUTSTANDING ACCOMPLISHMENTS AS EXECUTIVE DIRECTOR OF MEMPHIS BOTANIC GARDEN.**

MOTION: Strickland

SECOND: Halbert

APPROVED, by unanimous voice vote

9. **ORDINANCE REZONING THE SOUTHWEST CORNER OF SUMMER AVENUE AND VAUGHN ROAD, CONTAINING 0.28 ACRE IN THE RESIDENTIAL SINGLE FAMILY (R-6) DISTRICT, UP FOR T H I R D AND F I N A L READING.** (Held from 12/2)

Case No. Z 14-104

Ordinance No. 5575

(Companion Case SUP 14-232)

Applicant: Tina and Tammy Nguyen
J. P. Thomas & Associates, Inc. (Keith Chapman) – Representative

Request: Commercial Mixed Use (CMU-3) District

LUCB and OPD recommendation: APPROVAL

MOTION: Collins
SECOND: Fullilove
NAYS: Boyd, Brown, Collins, Conrad, Flinn, Ford, Fullilove, Halbert, Harris, Hedgepeth,
Lowery, Morrison and Chairman Strickland

FAILED

5. **RESOLUTION APPROVING A SPECIAL USE PERMIT LOCATED AT 4127 SUMMER AVENUE (SOUTHWEST CORNER OF SUMMER AVENUE AND VAUGHN ROAD), CONTAINING 0.28 ACRE IN THE RESIDENTIAL SINGLE FAMILY (R-6) DISTRICT.**
(Held from 12/2)

Case No. SUP 14-232
(Companion Case Z14-104)

Applicant: Tina & Tammy Nguyen – dba A & T Auto Sales
J. P. Thomas & Associates, Inc. – Representative

Request: Special Use Permit to allow motor vehicle (auto) sales

LUCB and OPD recommendation: APPROVAL, with conditions

MOOT

6. **RESOLUTION APPROVING A PLANNED DEVELOPMENT LOCATED ON THE NORTHEAST CORNER OF QUINCE ROAD AND KIRBY GATE BOULEVARD, CONTAINING 14.54 ACRES IN AN AREA CURRENTLY GOVERNED BY P.D. 97-377.**

Case No. PD 14-318

Applicant: Grant Properties, LLC
Fisher Arnold, Inc. – David Baker – Representative

Request: 1) Revise the zoning districts that regulate the P.D.
2) Allow a self-service storage facility in Parcel 2 only
3) Delete the requirement to extend Equine Run north to Kirby Gate Boulevard

LUCB and OPD recommendation: APPROVAL, with conditions

MOTION: Collins
SECOND: Ford
AYES: Boyd, Brown, Collins, Conrad, Flinn, Ford, Fullilove, Halbert, Harris, Hedgepeth,
Lowery, Morrison and Chairman Strickland

APPROVED, as amended in Committee

7. **RESOLUTION APPROVING A PLANNED DEVELOPMENT BEGINNING AT THE NORTHWEST AND SOUTHWEST CORNERS OF HOUSTON LEVEE ROAD AND MACON VIEW ROAD AND EXTENDING WEST +/-1,324', CONTAINING 9.7 ACRES IN THE CROSSINGS AT WOODLAND HILLS P.D. 99-308CC.**

Case No. PD 14-315cc

Applicant: TV6W, LLC Tower Ventures (Billy Orgel)
Lou Katzerman – Representative

Request: Add a CMCS Tower and Compound as a permitted use

LUCB and OPD recommendation: APPROVAL, with conditions

No Opposition at LUCB; No Public Hearing Required

MOTION: Collins
SECOND: Fullilove
AYES: Boyd, Brown, Collins, Conrad, Ford, Fullilove, Halbert, Harris, Hedgepeth,
Lowery, Morrison and Chairman Strickland
Flinn recused

APPROVED

8. **RESOLUTION APPROVING A PLANNED DEVELOPMENT LOCATED ON THE WEST SIDE OF MT. MORIAH ROAD; +/-240 FEET NORTH OF PARK AVENUE, CONTAINING 0.26 ACRE (11,250 SQ. FT.) AND IS CURRENTLY GOVERNED BY OAK TREE PLANNED DEVELOPMENT (P.D. 02-362).**

Case No. PD 14-317

Applicant: Majid & Margaret Paydar
McCaskill & Associates – Representative

Request: Plan amendment to allow Commercial Mixed Use (CMU-1) District land uses to an existing building

LUCB and OPD recommendation: APPROVAL, with conditions

No Opposition at LUCB; No Public Hearing Required

MOTION: Collins
SECOND: Fullilove
AYES: Boyd, Brown, Collins, Conrad, Flinn, Ford, Fullilove, Halbert, Harris, Hedgepeth,
Morrison and Chairman Strickland
Lowery did not cast a vote

APPROVED

10. **JOINT ORDINANCE AMENDING THE MEMPHIS AND SHELBY COUNTY UNIFIED DEVELOPMENT CODE AS ADOPTED BY THE CITY OF MEMPHIS ON AUGUST 10, 2010 AND BY SHELBY COUNTY ON AUGUST 9, 2010, AS AMENDED, TO REVISE AND ENHANCE THE JOINT ZONING AND SUBDIVISION REGULATIONS AS RECOMMENDED BY THE MEMPHIS AND SHELBY COUNTY OFFICE OF PLANNING AND DEVELOPMENT AND THE LAND USE CONTROL BOARD, UP FOR T H I R D AND F I N A L READING.**

Case No. ZTA 14-001
Ordinance No. 5577

Applicant: Memphis and Shelby County Office of Planning & Development
Josh Whitehead, Planning Director – Representative

Request: Adopt amendments to the Memphis and Shelby County Unified Development Code

LUCB and OPD recommendation: APPROVAL

NOTICES WERE NOT REQUIRED

MOTION: Collins
SECOND: Boyd
AYES: Boyd, Brown, Collins, Conrad, Ford, Halbert, Harris, Hedgepeth, Lowery, Morrison and Chairman Strickland
Flinn recused
Fullilove did not cast a vote

APPROVED, as amended in Committee

CONSENT AGENDA – Item #11 may be acted upon by one motion: SEE PAGE 3176 FOR ROLL CALL

11. **ORDINANCE AMENDING THE TAXI ORDINANCE, UP FOR S E C O N D READING.**
Ordinance No. 5578

APPROVED, on Second reading

ROLL CALL CONSENT ITEM

MOTION: Ford
SECOND: Fullilove
AYES: Boyd, Collins, Conrad, Flinn, Ford, Fullilove, Halbert, Harris, Hedgepeth, Lowery, Morrison and Chairman Strickland
Brown did not cast a vote

APPROVED

MLGW FISCAL CONSENT – Items 13-27 may be acted upon by one motion:

13. **RESOLUTION AWARDDING CONTRACT NO. 11719, ELEVATOR MAINTENANCE, TO KONE, INCORPORATED, IN THE FUNDED AMOUNT OF \$129,000.00.**

APPROVED

14. **RESOLUTION APPROVING CHANGE NO. 2 TO CONTRACT NO. 11539, MOBILE DOCUMENT SHREDDING SERVICES, WITH VITAL RECORDS CONTROL, INCORPORATED, IN THE FUNDED AMOUNT OF \$23,520.00. (THIS CHANGE IS TO RENEW THE CURRENT CONTRACT FOR THE SECOND OF FOUR ANNUAL RENEWAL TERMS COVERING THE PERIOD JANUARY 4, 2015 THROUGH JANUARY 3, 2016, WITH NO INCREASE IN RATES FROM THE PREVIOUS YEAR.)**

APPROVED

15. **RESOLUTION APPROVING CHANGE NO. 4 TO CONTRACT NO. 11416, MOBILE SWEEPING CLEANING, WITH HORIZON OF MEMPHIS, INCORPORATED, IN THE FUNDED AMOUNT OF \$53,304.36. (THIS CHANGE IS TO RENEW THE CURRENT CONTRACT FOR THE FOURTH AND FINAL RENEWAL TERM COVERING THE PERIOD MARCH 1, 2015 THROUGH FEBRUARY 28, 2016, WITH NO INCREASE IN RATES FROM THE PREVIOUS YEAR.)**

APPROVED

16. **RESOLUTION APPROVING CHANGE NO. 1 TO CONTRACT NO. 11490, UPS/PDU MAINTENANCE, WITH EMERSON NETWORK POWER LIEBERT SERVICES, IN THE FUNDED AMOUNT OF \$44,140.00. (THIS CHANGE IS TO RENEW THE CURRENT CONTRACT FOR A TWO YEAR TERM COVERING THE PERIOD JANUARY 1, 2015 TO DECEMBER, 31, 2016. THIS CHANGE REFLECTS A FIXED RATE DURING THIS TERM. IN ADDITION, THIS CHANGE REFLECTS AN 11.52% INCREASE FROM THE PREVIOUS YEAR DUE TO DIRECT PRICING IMPOSED BY THE MANUFACTURER.)**

APPROVED

17. **RESOLUTION APPROVING CHANGE NO. 1 TO CONTRACT NO. 11565, PAINTING OF THREE ELEVATED AND TWO STAND PIPE WATER STORAGE TANKS, WITH THOMAS INDUSTRIAL COATINGS, INCORPORATED, IN THE FUNDED AMOUNT OF \$19,800.00. (THIS CHANGE IS TO EXTEND THE CURRENT CONTRACT UNTIL DECEMBER 31, 2015. IN ADDITION, THIS CHANGE IS TO INCREASE THE CURRENT CONTRACT AMOUNT IN THE FUNDED AMOUNT OF \$19,800, WHICH REFLECTS A 2.29% INCREASE FROM THE ORIGINAL CONTRACT AMOUNT. THE INITIAL CONTRACT INCLUDES A PAINTING SCHEDULE PROVIDED BY MLGW WHICH SPECIFIED FIVE TANKS BEING COMPLETED BY SPRING OF 2015.**

HOWEVER, DUE TO BUDGETARY CONSTRAINTS IN THE WATER DIVISION, MLGW REQUESTED THE CONTRACTOR DELAY PAINTING OF THREE OF THE TANKS. AS A RESULT OF THE DELAY, THE CONTRACTOR HAS INCURRED AN INCREASE IN LABOR AND EQUIPMENT COSTS.)

APPROVED

18. **RESOLUTION AWARDDING A CONTRACT TO MIDSOUTH CNGV, INC., FOR A CASCADE COMPRESSED NATURAL GAS (CNG) STORAGE ASSEMBLY, IN THE AMOUNT OF \$129,676.00.**

APPROVED

19. **RESOLUTION TO AMEND PURCHASE ORDER NUMBER 151311 TO BRIGHTER DAYS AND NITES, LLC, FOR STEEL PIPE. THIS AMENDMENT IS TO INCREASE THE CONTRACT VALUE IN THE AMOUNT OF \$1,016.07, DUE TO THE INVOICED AMOUNT FOR THE ORIGINAL REQUEST EXCEEDING THE AUTHORIZED MLGW BOARD AND CITY COUNCIL APPROVED AMOUNT.**

APPROVED

20. **RESOLUTION APPROVING A FEE INCREASE FOR GAVION, LLC FROM \$55,000 TO \$80,000 ANNUALLY (PREVIOUSLY NAMED CONSULTING SERVICES GROUP, LLC, CONTRACT NO. 11471).**

APPROVED

21. **RESOLUTION APPROVING SELECTION OF INTERCONTINENTAL REAL ESTATE CORPORATION, A CORE-PLUS REAL ESTATE MANAGER, TO MANAGE \$60,000,000 FOR BENEFIT OF THE MLGW RETIREMENT AND PENSION FUND, AS PART OF A REALLOCATION.**

APPROVED

22. **RESOLUTION APPROVING THE SELECTION OF TERRACAP PARTNERS III, A VALUE-ADDED REAL ESTATE FUND, TO MANAGE APPROXIMATELY \$10,000,000.00 FOR THE BENEFIT OF THE MLGW OPEB TRUST FUND, AS PART OF A REALLOCATION.**

APPROVED

23. **RESOLUTION REQUESTING APPROVAL OF HEITMAN VALUE PARTNERS III, A VALUE-ADDED REAL ESTATE FUND, TO MANAGE \$48,000,000.00 FOR BENEFIT OF THE MLGW RETIREMENT AND PENSION FUND, AS PART OF A REALLOCATION.**

APPROVED

24. **RESOLUTION REQUESTING APPROVAL OF AMERICAN STRATEGIC VALUE REALTY FUND, A VALUE-ADDED REAL ESTATE FUND, TO MANAGE APPROXIMATELY \$30,000,000 FOR THE BENEFIT OF THE MLGW RETIREMENT AND PENSION FUND, AS PART OF A REALLOCATION.**

APPROVED

25. **RESOLUTION AWARDED A TWENTY-FOUR MONTH CONTRACT TO UNIVERSAL SCAFFOLDING AND EQUIPMENT, LLC, FOR MEDIUM VOLTAGE POWER CABLE, IN THE AMOUNT OF \$1,428,703.00.**

APPROVED

26. **RESOLUTION AWARDED A CONTRACT TO INDUSTRIAL SALES COMPANY, FOR PENDANT LUMINARIES, IN THE AMOUNT OF \$80,185.00.**

APPROVED

27. **RESOLUTION AWARDED CONTRACT NO. 11726, E-LEARNING COURSES AND ADMINISTRATION, TO SKILLSOFT CORPORATION, IN THE FUNDED AMOUNT OF \$61,018.75.**

APPROVED

MLGW ROLL CALL CONSENT ITEMS

MOTION: Conrad – Vote on Item #12 separately

Chairman Strickland asked if there was any objection to separating Item #12. There was no objection. Item #12 will be voted on separately.

MAIN MOTION: Morrison

SECOND: Conrad

AYES: Boyd, Brown, Collins, Conrad, Flinn, Ford, Fullilove, Halbert, Harris, Hedgepeth, Morrison and Chairman Strickland
Lowery did not cast a vote

APPROVED, as amended. Item #12 was voted on separately

12. **RESOLUTION APPROVING CONTRACT NO. 11769, A FIFTEEN YEAR PARKING LEASE AGREEMENT, BETWEEN MLGW AND THE STATE OF TENNESSEE OF 412 RESERVED PARKING SPACES ON THE UPPER FLOORS OF THE BEALE STREET LANDING PARKING GARAGE, AND FOR THE COMPLETION BY MLGW, OF UP TO \$180,000 OF IMPROVEMENTS, INCLUDING FENCING AND SECURITY MONITORING EQUIPMENT TO THE UPPER FLOORS OF THE GARAGE.**

(THE STATE AGREES TO PAY IN ONE LUMP SUM UPON COMPLETION AND ACCEPTANCE OF THE IMPROVEMENTS, ALL OF THE COSTS OF THE IMPROVEMENTS REQUIRED TO BE MADE TO THE GARAGE AND TO PAY A MONTHLY PARKING RENTAL FEE IN THE AMOUNT OF \$25 PER SPACE SUBJECT TO ANNUAL INCREASES IN AN AMOUNT NOT TO EXCEED THE CPI.)

MOTION: Morrison
 SECOND: Halbert
 AYES: Boyd, Brown, Collins, Flinn, Ford, Fullilove, Halbert, Harris, Hedgepeth,
 Lowery, Morrison and Chairman Strickland
 Conrad recused

APPROVED

30. **ORDINANCE TO AMEND CHAPTER 25 OF THE CITY OF MEMPHIS CODE OF ORDINANCES, GOVERNING THE CITY PENSION SYSTEM TO PROVIDE A 2016 CASH BALANCE PLAN AND A 2016 DEFINED CONTRIBUTION PLAN, UP FOR T H I R D AND F I N A L READING. [New hires only]** (Held from 12/2)
 Ordinance No. 5573

Chairman Strickland recognized the following persons who spoke from the audience:

Colin Berryhill, 1416 Wilbec Rd., Memphis, TN 38117
 Angie Brasfield, 2714 Greenmill, Memphis, TN 38119
 Carol Carlson, 477 Bruins Trace, Cordova, TN 38018
 David Cupples, 6221 Ashley Rd., Arlington, TN 38002
 Andre Gipson, 3251 Lucibill, Memphis, TN 38116
 Joe Hoing, 35 Blade Bay, Memphis, TN 38103
 Kathy Hurley, 7488 Wintergreen Ln., Cordova, TN 38018
 Rachel Knox, 2931 Millers Pond Dr., Memphis, TN 38119
 Roger Livingston, 4448 Cleo Ave., Memphis, TN 38122
 Thomas Malone, 5150 Stage Rd., Memphis, TN 38134
 Maria Phelps, 555 Ashbury Cv., Cordova, TN 38018
 Fran Triplett, 3616 Northwood Dr., Memphis, TN 38111
 Kenneth Walcott, 638 Jefferson Ave., Memphis, TN 38103
 Michael R. Williams, 638 Jefferson Ave., Memphis, TN 38105
 Robert Zachar, 7051 Old Brownsville Rd., Arlington, TN 38002

MOTION: Lowery – Include new hires only
 SECOND: Fullilove
 AYES: Brown, Collins, Fullilove, Harris and Lowery
 NAYS: Boyd, Conrad, Flinn, Halbert, Hedgepeth, Morrison and Chairman Strickland
 Ford abstained

FAILED, set up as Special Item #2

MOTION: Collins – Hold 2 weeks
SECOND: Lowery
AYES: Boyd, Brown, Collins, Fullilove, Harris and Lowery
NAYS: Conrad, Flinn, Ford, Halbert, Hedgepeth, Morrison and Chairman Strickland

FAILED, set up as Special Item #4

Friendly Amendment: 5 year mark

MOTION: Harris
SECOND: Collins

Councilman Harris' Friendly Amendment was not accepted by Councilwoman Halbert. A vote below was taken.

AYES: Brown, Collins, Fullilove, Harris and Lowery
NAYS: Conrad, Flinn, Ford, Halbert, Hedgepeth, Morrison and Chairman Strickland
Boyd abstained

FAILED, set up as Special Item #3

MOTION: Flinn – Effective date be changed from January 1, 2016 to July 1, 2016

Chairman Strickland asked if there was any objection to changing the date. There was no objection.

MAIN MOTION: Halbert
SECOND: Strickland
AYES: Boyd, Conrad, Flinn, Ford, Halbert, Hedgepeth, Lowery, Morrison and Chairman Strickland
NAYS: Brown, Collins, Fullilove and Harris

APPROVED, as amended. Effective date will be July 1, 2016

MOTION: Hedgepeth – Same Night Minutes for Item #30
SECOND: Conrad
AYES: Boyd, Conrad, Flinn, Ford, Halbert, Harris, Hedgepeth, Morrison and Chairman Strickland
NAYS: Brown, Collins, Fullilove and Lowery

APPROVED, set up as Special Item #5

29. **ORDINANCE TO AMEND CHAPTER 25 OF THE CITY OF MEMPHIS CODE OF ORDINANCES, TO LIMIT PARTICIPATION IN THE CITY PENSION SYSTEM 1978 PLAN TO PARTICIPANTS WITH 10 OR MORE YEARS OF SERVICE AND CREATE A SEPARATE ACCOUNT FOR PARTICIPANTS WITH LESS THAN 10 YEARS OF SERVICE EQUAL TO THEIR EMPLOYEE CONTRIBUTIONS PLUS THE MULTIPLE EARNED AS OF JUNE 30, 2015, UP FOR T H I R D AND F I N A L READING.** (Held from 12/2)

Ordinance No. 5571

DROPPED

28. **APPOINTMENTS**

MEMPHIS AREA TRANSIT AUTHORITY

Reappointment

Lauren Taylor

MEMPHIS AND SHELBY COUNTY BOARD OF ADJUSTMENT

Appointment

Aaron Petree

Reappointments

John Jackson III

Andre Jones

Timothy Rainey

MEMPHIS STORMWATER BOARD

Appointment

(Louie) L. Yu Lin

MOTION: Flinn

SECOND: Morrison

AYES: Boyd, Brown, Collins, Conrad, Flinn, Ford, Halbert, Harris, Hedgepeth,
Morrison and Chairman Strickland
Fullilove and Lowery did not cast a vote

APPROVED

44. **RESOLUTION ACCEPTING GRANT FUNDS IN THE AMOUNT OF \$2,604,545.00 FROM THE STATE OF TENNESSEE DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT DIVISION FOR WIA TITLE I DISLOCATED WORKER.**

Councilwoman Halbert requested same night minutes for this item. Chairman Strickland asked if there was any objection to having same night minutes. There was no objection.

MOTION: Halbert
SECOND: Morrison
AYES: Boyd, Brown, Collins, Conrad, Ford, Halbert, Harris, Hedgepeth, Morrison and Chairman Strickland
Flinn, Fullilove and Lowery did not cast a vote

APPROVED

45. **RESOLUTION ACCEPTING GRANT FUNDS IN THE AMOUNT OF \$2,386,138.00 FROM THE STATE OF TENNESSEE DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT DIVISION FOR WIA TITLE I ADULT PROGRAM.**

Councilwoman Halbert requested same night minutes for this item. Chairman Strickland asked if there was any objection to having same night minutes. There was no objection.

MOTION: Halbert
SECOND: Hedgepeth
AYES: Boyd, Brown, Collins, Conrad, Ford, Fullilove, Halbert, Harris, Hedgepeth, Morrison and Chairman Strickland
Flinn and Lowery did not cast vote

APPROVED

32. **ORDINANCE TO AMEND CHAPTER 21 – MOTOR VEHICLES AND TRAFFIC, ARTICLE III, OPERATION OF MOTOR VEHICLES GENERALLY, TO ADD A NEW SECTION ESTABLISHING DRIVING RULES IN THE PRESENCE OF SOLID WASTE COLLECTION VEHICLES, UP FOR T H I R D AND F I N A L READING.**

Ordinance No. 5576

MOTION: Conrad
SECOND: Boyd
AYES: Brown, Collins, Conrad, Flinn, Ford, Fullilove, Halbert, Harris, Hedgepeth, Morrison and Chairman Strickland
Boyd and Lowery did not cast a vote

APPROVED

33. **RESOLUTION AMENDING THE FY2015 CIP BUDGET TO TRANSFER AND APPROPRIATE \$50,000.00 IN UNUSED FUNDS FROM PUBLIC WORKS CIP DESIGNATED FOR INFRASTRUCTURE IMPROVEMENTS RELATED TO INTERNATIONAL PAPER TO THE FRIENDS OF MEMPHIS CITY BEAUTIFUL FOR THE PURCHASE OF HOLIDAY LIGHTS AND OTHER HOLIDAY DECORATIONS ALONG THE PARADE ROUTE FOR THE ANNUAL FRAYSER-RALEIGH CHRISTMAS PARADE.**

MOTION: Harris - Move the substitute resolution

SECOND: Fullilove

Chairman Strickland asked if there was any objection to approving the substitute resolution. There was no objection.

AYES: Brown, Collins, Conrad, Flinn, Fullilove, Halbert, Harris and Morrison

NAYS: Boyd and Chairman Strickland

Ford, Hedgepeth and Lowery did not cast a vote

APPROVED

34. **RESOLUTION AMENDING THE FY2015 OPERATING REVENUE BUDGET TO ACCEPT ADDITIONAL REVENUE OF \$1.9 MILLION FOR MLGW REVENUE IN-LIEU OF TAXES ON THE PROPERTIES OF THE WATER DIVISION OF MLGW WITHIN THE LIMITS OF THE CITY OF MEMPHIS, AND TO RECOGNIZE EXPECTED REVENUES THAT WILL EXCEED THE BUDGET FROM PRIOR YEAR AD-VALOREM TAX COLLECTIONS OF \$2.6 MILLION AND THAT THE FY2015 OPERATING EXPENDITURE BUDGET BE AMENDED BY \$2,971.8 MILLION, TO UTILIZE THE MLGW REVENUE AND THE AD-VALOREM PRIOR TAX.**

Friendly Amendment: If grant money is received by the City that is limited solely to rape kit testing, this City funding may be used for forensic analysis and additional police resources necessary to complete sexual assault kit investigations

MOTION: Strickland

Vice Chairman Lowery asked if there was any objection to the Friendly Amendment. There was no objection.

MAIN MOTION: Harris

SECOND: Fullilove

AYES: Boyd, Brown, Collins, Conrad, Flinn, Ford, Fullilove, Halbert, Harris, Hedgepeth, Lowery, Morrison and Chairman Strickland

APPROVED, as amended

35. **RESOLUTION AMENDING THE FY 2015 CAPITAL IMPROVEMENT BUDGET BY TRANSFERRING AN ALLOCATION AND APPROPRIATING \$1,186,120.00 FUNDED BY G.O. BONDS-GENERAL (STORMWATER) FROM BRIDGE REPAIR STORM WATER, PROJECT NUMBER ST03083, TO HOLMES/BNSF RR SLOPE REPAIR, PROJECT NUMBER ST03165, FOR SLOPE REPAIR AT THE HOLMES ROAD BRIDGE OVER THE BNSF RAILROAD.**

MOTION: Hedgepeth

SECOND: Boyd

AYES: Boyd, Brown, Collins, Conrad, Flinn, Ford, Fullilove, Halbert, Harris, Hedgepeth, Lowery, Morrison and Chairman Strickland

APPROVED

36. **RESOLUTION AMENDING THE FY 2015 CAPITAL IMPROVEMENT BUDGET BY APPROPRIATING FUNDS IN THE AMOUNT OF \$594,809.39 FOR PROJECT NUMBER PW01251, CORNING AVENUE (STEELE STREET TO WINSTON STREET) SAFETY IMPROVEMENT.**

MOTION: Hedgepeth

SECOND: Flinn

AYES: Boyd, Brown, Collins, Flinn, Ford, Halbert, Hedgepeth, Lowery, Morrison and Chairman Strickland
Conrad, Fullilove and Harris did not cast vote

APPROVED

37. **RESOLUTION APPROPRIATING A TOTAL OF \$1,800,000.00 IN CONTRACT CONSTRUCTION FUNDED BY G.O. BONDS-GENERAL IN CIP PROJECT NUMBER GS01007, TO FUND VARIOUS REPAIRS, MODIFICATIONS AND IMPROVEMENTS TO CITY PROPERTIES INCLUDING ROOFING, PLUMBING, PAINTING, CARPENTRY AND HVAC.**

MOTION: Hedgepeth

SECOND: Boyd

AYES: Boyd, Collins, Conrad, Ford, Halbert, Harris, Hedgepeth, Lowery, Morrison and Chairman Strickland
Brown, Flinn and Fullilove did not cast a vote

APPROVED

38. **RESOLUTION AMENDING THE FY 2015 CAPITAL IMPROVEMENT BUDGET BY TRANSFERRING AN ALLOCATION AND APPROPRIATE \$953,320.00 FUNDED BY G.O. BONDS-GENERAL (STORM WATER) FROM DRAINAGE-ST, PROJECT NUMBER ST03006, TO BRIDGE SCOUR REPAIR PROJECT #2, PROJECT NUMBER ST03154, TO REPAIR SCOUR RELATED PROBLEMS ON BRIDGES WHICH ARE IN POOR CONDITION.**

MOTION: Hedgepeth

SECOND: Boyd

AYES: Boyd, Collins, Conrad, Flinn, Ford, Halbert, Harris, Hedgepeth, Morrison and Chairman Strickland
Brown, Fullilove and Lowery did not cast a vote

APPROVED

39. **RESOLUTION TO CHANGE THE COUNCIL RULES OF PROCEDURE TO ADD THE SPONSOR OF A RESOLUTION OR ORDINANCE TO THE CAPTION.**

MOTION: Strickland

SECOND: Boyd

AYES: Boyd, Collins, Conrad, Flinn, Ford, Fullilove, Halbert, Harris, Lowery, Morrison and Chairman Strickland
Brown and Hedgepeth did not cast a vote

APPROVED

40. **RESOLUTION TO CHANGE THE RULES OF PROCEDURE TO ADDRESS CELL PHONE USAGE, HOLDING AN ANNUAL RETREAT, CREATING A RULES COMMITTEE AND OTHER ITEMS.**

MOTION: Strickland

SECOND: Morrison

AYES: Boyd, Collins, Conrad, Flinn, Ford, Fullilove, Halbert, Harris, Lowery, Morrison and Chairman Strickland
Brown and Hedgepeth did not cast a vote

APPROVED

41. **ORDINANCE TO AMEND CHAPTER 2, CODE OF ORDINANCES OF THE CITY OF MEMPHIS, SO AS TO ESTABLISH COMMUNITY ADVISORY COUNCILS, UP FOR T H I R D AND F I N A L READING. (Held from 8/19; 9/16; 10/21; 11/18)**

Ordinance No. 5557

Held until January 20, 2015

46. **RESOLUTION APPROVING AN HONORARY STREET NAME CHANGE OF ST. MARTIN STREET.**

MOTION: Conrad
SECOND: Fullilove
AYES: Boyd, Brown, Collins, Conrad, Flinn, Ford, Fullilove, Harris and Morrison
Halbert, Hedgepeth, Lowery and Chairman Strickland did not cast a vote

APPROVED

MINUTES

Approval of the Minutes of the regular meeting of December 16, 2014 for Special Item #1, 30, 44 and 45 only with the following motion:

MOTION: Fullilove
SECOND: Harris
AYES: Boyd, Brown, Collins, Conrad, Flinn, Ford, Halbert, Harris, Lowery, Morrison
and Chairman Strickland
Fullilove and Hedgepeth did not cast a vote

APPROVED, set up as Special Item #6

INTRODUCTION OF ITEMS ON MATTERS BY THE GENERAL PUBLIC:

Chairman Strickland recognized the following people who spoke from the audience:

Walter Broady, III, 4256 Ledbetter Cove, Memphis, TN 38109
Lee Cochran, 179 Richbriar St., Memphis, TN 38120
Jim Jamieson, 1669 Walter, Memphis, TN 38108

ADJOURNED MEETING AT 8:32 P.M.

.....
Upon statement of the Chairman, without objection, the meeting was adjourned, subject to the call of the Chairman.

CHAIRMAN

Attest:

Deputy Comptroller/Council Records